



COMBINED DECLARATION AND POWER OF ATTORNEY

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As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled RECOMBINANT HUMAN ALPHA-FETOPROTEIN AS A CELL PROLIFERATIVE AGENT, the specification of which was filed on January 24, 1995 as Application Serial No. 08/377,316.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56(a).

35 I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Paul T. Clark, Reg. No. 30,162; William E. Booth, Reg. No. 28,933; Karl Bozicevic, Reg. No. 28,807; Barry E. Bretschneider, Reg. No. 28,055; Paul T. Clark, Reg. No. 30,162; Peter J. Devlin, Reg. No. 31,753; Willis M. Ertman, Reg. No. 18,658; David L. Feigenbaum, Reg. No. 30,378; Janis K. Fraser, Reg. No., 34,819; John W. Freeman, Reg. No. 29,066; Timothy A. French, Reg. No. 30,175; Alan H. Gordon, Reg. No. 26,168; Scott C. Harris, Reg. No. 32,030; Mark J. Hebert, Reg. No., 31,766; Gilbert H. Hennessey, Reg. No. 25,759; Charles Hieken, Reg. No. 18,411; Robert E. Hillman, Reg. No. 22,837; G. Roger Lee, Reg. No. 28,963; Steven E. Lipman, Reg. No. 30,011; Gregory A. Madera, Reg. No. 28,878; Ralph A. Mittelberger, Reg. No. 33,195; Ronald E. Myrick, Reg. No. 26,315; Robert C. Nabinger, Reg. No., 33,431; Frank P. Porcelli, Reg. No. 27,374; Eric L. Prael, Reg. No. 32,590; Alan D. Rosenthal, Reg. No. 27,833; Richard M. Sharkansky, Reg. No. 25,800; John M. Skenyon, Reg. No. 27,468; Michael O. Sutton, Reg. No. 26,675; Rene D. Tegtmeyer, Reg. No. 33,567; Hans R. Troesch, Reg. No. 36,950; John N. Williams, Reg. No. 18,948; Gary A. Walpert, Reg. No. 26,098; Dorothy P. Whelan, Reg. No., 33,814; and Charles C. Winchester, Reg. No. 21,040.

Address all telephone calls to Paul T. Clark at telephone number 617/542-5070.

Address all correspondence to Paul T. Clark, Fish & Richardson P.C., 225 Franklin Street, Boston, MA 02110-2804.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

180
Full Name of Inventor: Robert A. Murgita

Inventor's Signature: [Signature]

Date: June 14, 1995

Residence Address: Montreal, Canada CAN

Citizen of: U.S.A.

Post Office Address: 17 Parkside Place, Montreal, Canada H3H 1A7

110341.B11

Applicant or Patentee: Robert A. Murgita
 Serial or Patent No.: 08/377,316
 Filed or Issued: January 24, 1995
 For: RECOMBINANT HUMAN ALPHA-FETOPROTEIN A CELL PROLIFERATIVE AGENT

#3

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
 (37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN

I hereby declare that I am



☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Small Business Concern: Atlantic Biopharmaceuticals, Inc.

Address of Small Business Concern: 124 Mt. Auburn Street, Suite 200 North, Cambridge, MA 02138

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled RECOMBINANT HUMAN ALPHA-FETOPROTEIN A CELL PROLIFERATIVE AGENT by inventor(s) Robert A. Murgita described in

- ☐ the specification filed herewith.
☒ application serial no. 08/377,316, filed January 24, 1995.
☐ patent no. , issued .

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e). NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Full Name: McGill University

Address: Montreal, Quebec, Canada

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☒ NONPROFIT ORGANIZATION

Full Name: Martinex R&D Inc.

Address: 550 Sherbrooke Street West, Suite 370, West Tower, Montreal, Quebec, H3A 1B9

☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent on which this verified statement is directed.

Name: Robert A. Grant

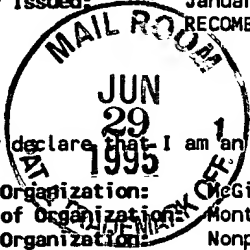
Title: Chief Operating Officer

Address: 124 Mt. Auburn Street, Suite 200 North, Cambridge, MA 02138

Signature: Robert A. Grant

Date: 6-14-95

Applicant or Patentee: Robert A. Murgita
 Serial or Patent No.: 08/377,316
 Filed or Issued: January 24, 1995
 For: RECOMBINANT HUMAN ALPHA-FETOPROTEIN A CELL PROLIFERATIVE AGENT



**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
 (37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

Name of Organization: McGill University
 Address of Organization: Montreal, Canada
 Type of Organization: Nonprofit Organization

- ☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3))
☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA
 (NAME OF STATE:)
 (CITATION OF STATUTE:)
☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3)) IF
 LOCATED IN THE UNITED STATES OF AMERICA
☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF
 AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
 (NAME OF STATE:)
 (CITATION OF STATUTE:)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled RECOMBINANT HUMAN ALPHA-FETOPROTEIN A CELL PROLIFERATIVE AGENT by inventor(s) Robert A. Murgita described in

- ☐ the specification filed herewith.
☒ application serial no. 08/377,316, filed January 24, 1995.
☐ patent no. , issued .

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Full Name: Atlantic Biopharmaceuticals, Inc.

Address: 126 Mt. Auburn Street, Suite 200 North, Cambridge, MA 02138

☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

Full Name: Martinex R&D Inc.

Address: 550 Sherbrooke Street West, Suite 370, West Tower, Montreal, Quebec, H3A 1B9

☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name: ☒ R. David BOURKE

Title: ☒ Secretary-General

Address: McGill University, Montreal, Canada 845 Sherbrooke St. W. Montréal Québec H3A 2T5

Signature: ☒ R. David Bourke Date: ☒ 14 June 95



PATENT

ATTORNEY DOCKET NO. 06727/006001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Applicant : Robert A. Murgita Art Unit:
Serial No.: 08/377,316 Examiner:
Filed : January 24, 1995
Title : RECOMBINANT HUMAN ALPHA-FETOPROTEIN AS A CELL
PROLIFERATIVE AGENT

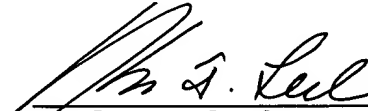
Commissioner of Patents and Trademarks
Washington, DC 20231

STATEMENT UNDER 37 CFR §1.821(f)

I hereby state that the content of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 CFR §1.821(c) and (e), respectively, are the same and that the sequence listings contain no new matter.

Respectfully submitted,

Date: 6/26/95

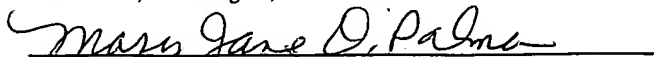

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35,238

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Facsimile: 617/542-8906
121389.B11

Date of Deposit June 26, 1995
I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.


Mary Jane D. Palma